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December 19, 2000

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**BY HAND**

Magalie Roman Salas, Esquire  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room TW-B204  
Washington, DC 20554

**Re: Comments of Four Rivers Broadcasting, Inc. and  
Motion for Leave to File Comments One Day Late  
MM Docket No. 00-216, RM-9995  
McKinleyville, California**

Dear Ms. Salas:

Enclosed herewith, on behalf of Four Rivers Broadcasting, Inc., are an original and four copies of its Comments to the above-referenced Petition for Rulemaking and a Motion for Leave to File Comments One Day Late.

Should there be any questions regarding this matter, kindly communicate directly with the undersigned.

Very truly yours,  
FLETCHER, HEALD & HILDRETH, P.L.C.

  
Alison J. Shapiro  
Counsel for Four Rivers Broadcasting, Inc.

AJS:jpg

Enclosure

cc: Mr. John A. Karousos, FCC (w/encl.)  
Ms. Victoria M. McCauley, FCC (w/encl.)

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FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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DEC 19 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
Amendment of Section 73.202(b) )  
Table of Allotments, ) MM Docket No. 00-216  
FM Broadcast Stations. ) RM-9995  
(McKinleyville, California) )

To: Chief, Allocations Branch

**MOTION FOR LEAVE TO FILE COMMENTS ONE DAY LATE**

Four Rivers Broadcasting, Inc. ("Four Rivers"), by counsel, hereby respectfully submits this Motion for Leave to file Comments in the above-referenced rulemaking one day late. Due to the press of other business on December 18, 2000, the Comments of Four Rivers in the above-referenced rulemaking proceeding were inadvertently not filed.

No prejudice will result from acceptance of the attached Comments. Christian Country Network, Inc. already filed timely comments indicating its interest in applying for and constructing a new station on Channel 236C3 at McKinleyville, California. As the original petitioner in this proceeding, Four Rivers merely wishes to express its continued interest in the allocation.

WHEREFORE, It is respectfully requested that the attached Comments of Four Rivers Broadcasting, Inc. be accepted.

Respectfully submitted,

FOUR RIVERS BROADCASTING, INC.



Howard M. Weiss  
Alison J. Shapiro

Its Counsel

Fletcher, Heald & Hildreth, P.L.C.  
1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor  
Arlington, Virginia 22209  
(703)812-0400

December 19, 2000

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Table of Allotments,	)	MM Docket No. 00-216
FM Broadcast Stations.	)	RM-9995
(McKinleyville, California)	)	

To: Chief, Allocations Branch

**COMMENTS OF FOUR RIVERS BROADCASTING, INC.**

Four Rivers Broadcasting, Inc. ("Four Rivers"), by counsel, and pursuant to Section 1.415 of the Commission's rules, hereby respectfully submits these comments in response to the Commission's Notice of Proposed Rulemaking (the "Notice")<sup>1</sup>, released October 27, 2000, in the above-captioned proceeding. The Notice proposes to amend the FM Table of Allotments to add Channel 236C3 to McKinleyville, California, as that community's first local aural transmission service. Thus, the Notice proposes to amend Section 73.202(b) of the Commission's rules as follows:

	<b><u>Channel No.</u></b>	
<b><u>City</u></b>	<b><u>Present</u></b>	<b><u>Proposed</u></b>
McKinleyville, California	-----	236C3

As demonstrated in its Petition for Rulemaking ("Petition") and corresponding

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<sup>1</sup> In the Matter of Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (McKinleyville, California), MM Docket No. 00-216, RM-9995 (released October 27, 2000).

engineering exhibit, the reference coordinates for the proposed channel at McKinleyville meet the minimum distance separation requirements with respect to all known licenses, construction permits, pending applications, and pending rulemaking proceedings. The McKinleyville allotment reference site complies with the minimum spacing requirements contained in Section 73.207 of the Commission's rules.

Furthermore, as stated in Four Rivers' Petition, the addition of Channel 236C3 will provide McKinleyville with its first local aural transmission service. Currently, there are no other commercial or noncommercial stations licensed to McKinleyville. Thus, the addition of this allotment at McKinleyville will promote the objectives of Section 307(b) of the Communications Act by seeking to achieve a fair, efficient and equitable distribution of broadcast stations among the various states and communities.<sup>2</sup>

The FM Table of Allotments was created to allow the Commission to meet its obligation under Section 307(b) and the allotment priorities developed in *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 91 (1982). The main objective of the 1982 revision was to provide service of satisfactory signal strength to the whole country, while providing as many program choices to as many listeners as possible and providing service of local origin to as many communities as possible. To these ends, the Commission set forth the following as priorities: (1) first full-time aural service; (2) second full-time aural service; (3) first local service, and; (4) other public interest matters (priorities 2 and 3 were given co-equal weight).

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<sup>2</sup> We note that on November 11, 2000, Christian Country Network, Inc. ("CCN") filed Comments in this proceeding. Four Rivers will address the substantive issues raised in CCN's Comments in its Reply Comments due January 2, 2001.

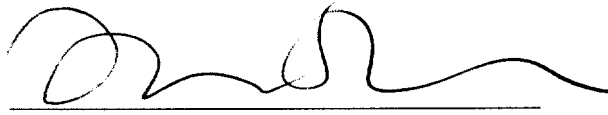
Thus, the allotment of a first full-time local aural transmission service to McKinleyville would satisfy the core objectives of Section 307(b), and it also meets the Commission's third allotment priority.

In the event that the allotment of Channel 236C3 at McKinleyville, California is granted, Four Rivers will file an application for a construction permit for the new station, and, if authorized, will promptly construct the new facility.

WHEREFORE, in light of the foregoing, Four Rivers Broadcasting, Inc., respectfully requests that the Commission AMEND the FM Table of Allotment, and ALLOT Channel 236C3 to McKinleyville, California, as that community's first full-time local aural transmission service.

Respectfully submitted,

FOUR RIVERS BROADCASTING, INC.

By: 

Howard M. Weiss  
Alison J. Shapiro

Its Counsel

Fletcher, Heald & Hildreth, P.L.C.  
1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor  
Arlington, Virginia 22209  
(703)812-0400

December 18, 2000

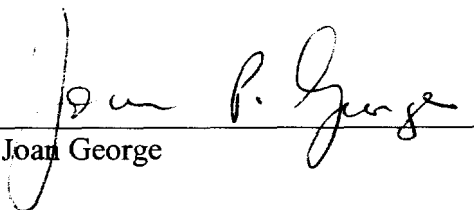
**CERTIFICATE OF SERVICE**

I, Joan George, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the foregoing *Comments of Four Rivers Broadcasting, Inc. and Motion for Leave to File Comments One Day Late* was sent this 19<sup>th</sup> day of December, 2000, via hand delivery and United States First Class Mail, postage prepaid, on the following:

Mr. John A. Karousos\*  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room 2-A266  
Washington, D.C. 20554

Ms. Victoria M. McCauley\*  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room 2-C222  
Washington, D.C. 20554

Mr. George Smith  
Christian Country Network, Inc.  
P.O. Box 111  
Klamath Falls, OR 97601

  
Joan George

\*By Hand